

REMARKS

Claims 1 - 10, 12, 13, and 17 - 34 are pending in the present application. Claims 11 and 14 - 16 are canceled by the present amendment.

In section 3 of the Office Action, claims 9 and 10 were rejected under 35 U.S.C. 112, second paragraph, as being indefinite. Applicants amended claims 9 and 10 to correct this deficiency. Reconsideration and withdrawal of the section 112 rejection are respectfully requested.

In section 5 of the Office Action, claims 1, 5, 11, 12, 15, 19 and 31 were rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 5,533,007 to Orita et al. (hereinafter "the Orita et al. patent") in view of U.S. Patent No. 4,730,313 to Stephenson et al. (hereinafter "the Stephenson et al. patent"). Of this set of claims, two are independent, namely, claims 1 and 5. Applicants amended claims 1 and 5 to recite a feature that is neither described nor suggested by either of the Orita et al. or Stephenson et al. patents.

Claim 1 provides a method of monitoring an ISDN link. The method includes (a) monitoring an ISDN link using a passive probe at a first location subscriber signalling messages on an ISDN D channel to derive first monitoring data, (b) monitoring at the first location telecommunications traffic traversing ISDN B channels associated with the ISDN D channel to derive second monitoring data, and (c) correlating the first and second monitoring data by selecting some of the second monitoring data in accordance with the first monitoring data, and taking a predetermined action in accordance with the selected second monitoring data.

The specification contains a description of an exemplary passive probe at page 10, line 37 through page 11, line 6.

The Orita et al. patent describes an ISDN line circuit channel monitor system. With reference to Fig. 1, and as described at col. 3, lines 49 - 56, a line circuit network (LC-NW) 16 separates multiplexed B-channel time slots from multiplexed D-channel time slots, connects the multiplexed D-channel time slots to a signal controller (SGC) 22, and connects the multiplexed B-channel time slots to a call processor accommodating network (CPR-NW) 24. Thereafter, CPR-NW 24 multiplexes the time slots from LC-NW 16 and connects the multiplexed time slots to an integrated services digital network (col. 3, lines 57 - 60).

Whereas the system in the Orita et al. patent **separates** time slots and **multiplexes** the time slots to an integrated services digital network, it is not **monitoring an ISDN link using a passive probe**, as recited in claim 1.

Furthermore, Applicants respectfully submit that in the Orita et al. patent, a determination of which B channel to monitor is not based on information derived from monitoring an ISDN link. For example, at col. 8, lines 18 - 25, the Orita et al. patent states:

The maintenance operator inputs, to the CPR 25 via the console 25A, a command which shows the accommodated position and channel number of a subscriber to be monitored and the accommodated position of the monitor equipment 28. ... The CPR 25 determines whether or not there is a call using the specified channel ...

Whereas the Orita et al. patent expressly states a maintenance operator inputs a command which shows the accommodated position and channel number of a subscriber to be monitored, it does not describe determination of whether there is a call based on data derived from signalling messages on an ISDN D channel. Thus, the system described in the Orita et al. patent **does not monitor signalling links to make its determination**, and therefore it does not describe monitoring at a first location **subscriber signalling messages on an ISDN D channel to derive first monitoring data**, as recited in claim 1.

The Stephenson et al. patent describes a method for providing B channel diagnostics in an ISDN (Abstract). The method includes “monitoring error performance of an ISDN D channel and then comparing the D channel error performance with a predetermined error performance criterion as a measure of B channel performance” (col. 2, lines 28 - 33). Thus the method appears to monitor only the D channel, and not the B channel. Accordingly, as the method in the Stephenson et al. patent monitors only the D channel, it does not monitor telecommunications traffic traversing ISDN B channels (i.e., second monitoring data), and so, it **cannot selected second monitoring data**. Thus, the Stephenson et al. patent does not describe correlating said first and second monitoring data by **selecting some of the second monitoring data**, as recited in claim 1.

Applicants have not found any description or suggestion in the Stephenson et al. of monitoring an ISDN link using a passive probe. As such, the Stephenson et al. patent does not make up for the deficiencies of the Orita et al. patent.

Applicants respectfully submit that the Orita et al. and Stephenson et al. patents, whether considered alone or in combination, neither describe nor suggest all of the elements of claim 1. Thus, claim 1 is patentable over these references.

Claim 5 provides for an apparatus for monitoring an ISDN link. The recital of claim 5 is similar to that of claim 1, and therefor, claim 5 is patentable over the Orita et al. and Stephenson et al. patents for reasons similar to that of claim 1.

Claims 12 and 31 depend from claim 1, and claim 19 depends from claim 5. As such, claims 12, 19 and 31 are also patentable over the Orita et al. and Stephenson et al. patents.

Claims 11 and 15 are canceled. Accordingly, the rejection of these claims is moot.

Applicants respectfully request reconsideration and withdrawal of the section 103(a) rejection of claims 1, 5, 11, 12, 15, 19 and 31.

In section 6 of the Office Action, claims 4, 6, 14, 16, 18, 20, 26 and 30 were rejected under 35 U.S.C. 103(a) as being unpatentable over the Orita et al. patent. Of this set of claims, two are independent, namely claims 4 and 6. Applicants amended claims 4 and 6 to recite a feature that is neither described nor suggested by the Orita et al. patent.

Claim 4 provides a method of monitoring an ISDN link. The method includes (a) monitoring an ISDN link using a passive probe to monitor subscriber signalling messages on an ISDN D channel to derive first monitoring data, (b) monitoring additional signalling messages on a signalling link in a telecommunications network coupled to the ISDN link, to derive second monitoring data, and (c) correlating the first and second monitoring data.

As explained above in support of claim 1, the system in the Orita et al. patent **separates** time slots and **multiplexes** the time slots to an integrated services digital network. Consequently, it is not **monitoring an ISDN link using a passive probe**, as recited in claim 4.

Also, for the reasons provided above in support of claim 1, Applicants submit that system described by the Orita et al. patent **does not monitor ISDN signalling links to make its determination**. Consequently, the Orita et al. patent neither describes nor suggests (a) monitoring **subscriber signalling messages on an ISDN D channel** to derive first monitoring data, and (b) monitoring additional **signalling messages on a signalling link** in a telecommunications network coupled to the ISDN link, to derive second monitoring data, as recited in claim 4.

Applicants respectfully submit that claim 4 is patentable over the Orita et al. patent.

Claim 6 includes a recital similar to that of claim 4. As such, claim 6 is patentable over the Orita et al. patent for reasons similar to that of claim 4.

Claims 18 and 26 depend from claim 4, and claims 20 and 30 depend from claim 6. Thus, claims 18, 20, 26 and 30 are also patentable over the Orita et al. patent.

Claims 14 and 16 are canceled. Accordingly, the rejection of these claims is moot.

Applicants respectfully request reconsideration and withdrawal of the section 103(a) rejection of claims 4, 6, 18, 20, 26 and 30.

In section 7 of the Office Action, claims 7 - 10, 17, 21 and 32 were rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 5,592,530 to Brockman et al. (hereinafter "the Brockman et al. patent"). Applicants respectfully traverse this rejection.

Claim 7 is an independent claim that provides a method of monitoring a telecommunications system having transmission channels and an associated signalling channel. The method includes, *inter alia*, monitoring signalling messages on the signalling channel, and monitoring telecommunications traffic traversing a selected transmission channel.

The Brockman et al. patent describes a system for monitoring the operations of a mated pair of switching nodes in a telephone network (Abstract). The network in which the system is employed is specifically described as a common channel signaling network, and more specifically, an SS7 based signaling network (col. 1, lines 14 - 17). At col. 1, lines 21 - 29 the Brockman et al. patent states:

Common channel signals, such as an SS7 based signal system, use dedicated channels to pass digital messages between systems for call setup, call control, call routing, and other functions. **These dedicated channels are a separate network from the network of circuits that carries the actual voice and data signals.** An SS7 network can be thought of as a separate switching system which is used prior to, during, and at the end of the actual call for the purpose of routing control information (emphasis added).

Thus, the system in the Brockman et al. patent monitors signaling links, but it **does not monitor the network that carries voice and data signal (i.e., a transmission channel)**. Consequently, the Brockman et al. patent neither describes nor suggests monitoring telecommunications traffic traversing **a selected transmission channel**, as recited in claim 7. Accordingly, claim 7 is patentable over the Brockman et al. patent.

Claims 8 - 10, 17, 21 and 32 depend from claim 7. As such, claims 8 - 10 17, 21 and 32 are also patentable over the Brockman et al. patent.

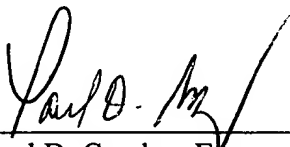
Applicants respectfully request reconsideration and withdrawal of the section 103(a) rejection of claims 7 - 10, 17, 21 and 32.

In view of the foregoing, Applicants respectfully submit that all claims presented in this application patentably distinguish over the prior art. Accordingly, Applicants respectfully request favorable consideration and that this application be passed to allowance.

Respectfully submitted,

8-27-03

Date



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